

[ALTERNATIVE A ONLY]

***TITLE III -- SAVINGS ASSOCIATIONS AND SAVINGS AND LOAN
HOLDING COMPANIES***

SECTION 301. SHORT TITLE; DEFINITIONS.

(a) SHORT TITLE.--This title may be cited as the “Thrift Charter Transition Act of 1997”.

(b) DEFINITIONS.--Unless otherwise defined in this Act, the terms “bank holding company”, “depository institution”, “Federal savings association”, “insured depository institution”, “savings association”, “State bank”, and “State savings association” (as used in the uncodified provisions of this Act) have the same meanings as in section 3 of the Federal Deposit Insurance Act (12 U.S.C. 1813) as in effect on the day before the date of enactment of this Act.

Subtitle A -- Facilitating Conversion of Savings Associations to Banks

SEC. 311. CONVERSION TO NATIONAL BANKS.

(a) AUTOMATIC CONVERSION OF FEDERAL SAVINGS ASSOCIATIONS TO NATIONAL BANKS.--

(1) IN GENERAL.--Effective 2 years after the date of enactment of this Act, each Federal savings association then in existence shall be converted to a national bank by operation of law.

(2) PRESERVATION OF RIGHTS, POWERS, AND PRIVILEGES.--Unless
otherwise provided in this Act, a Federal savings association that is converted to a national bank under this section shall continue to have all of the rights, powers, privileges, and immunities that it had as a Federal savings association on the day before the date of its conversion.

(b) EARLIER CONVERSIONS TO NATIONAL BANK.--The following paragraphs shall
apply during the 22-month period beginning 60 days after the date of enactment of this Act:

(1) ACCELERATED CONVERSION OF FEDERAL SAVINGS ASSOCIATIONS.--Any
Federal savings association may file with the Comptroller of the Currency a notice of its election to accelerate its conversion to a national bank to a specified date that is not earlier than 30 days after the date on which the notice is filed, and the association shall be converted to a national bank on the date specified in the notice.

(2) STREAMLINED CONVERSION OF STATE SAVINGS ASSOCIATIONS.--Any
State savings association may (to the extent consistent with State law) convert to a national bank by filing with the Comptroller a notice of its election to convert on a specified date that is not earlier than 30 days after the date on which the notice is filed, and the association shall be converted to a national bank on the date specified in the notice.

(c) CONVERSION TO MUTUAL NATIONAL BANK.--A savings association that is operating in mutual form on the date it is converted to a national bank under this section shall be converted to a mutual national bank as defined in section 5133A of the Revised Statutes of the United States.

(d) OTHER AUTHORITY NOT AFFECTED.--The authority to convert to a national bank under this section shall be in addition to any other authority of a savings association to convert to a national bank, State bank, or State savings association.

(e) EFFECTIVE DATE.--This section shall take effect 60 days after the date of enactment of this Act.

**SEC. 312. MUTUAL NATIONAL BANKS AND FEDERAL MUTUAL BANK
HOLDING COMPANIES AUTHORIZED.**

(a) IN GENERAL.--Chapter one of title LXII of the Revised Statutes of the United States (12 U.S.C. 21 et seq.) is amended by inserting after section 5133 the following new sections:

“SEC. 5133A MUTUAL NATIONAL BANKS.

“(a) IN GENERAL.--The Comptroller of the Currency may charter national banking associations as mutual national banks, either de novo or through the conversion of an insured depository institution, in accordance with this section and such regulations as the Comptroller may prescribe.

“(b) APPLICABLE LAW.--Unless otherwise provided by this section or by the Comptroller of the Currency because of the mutual form of the institution, a mutual national bank--

“(1) shall be subject to the same laws, requirements, duties, and obligations that apply to a national banking association operating in stock form;

“(2) shall have the same powers and privileges as, and may engage in the same activities subject to the same restrictions and limitations that apply to, a national banking association operating in stock form; and

“(3) shall be supervised and examined by the Comptroller in the same manner and to the same extent as a national banking association operating in stock form.

“(c) CONVERSIONS.--Subject to any requirements imposed by the Comptroller--

“(1) a mutual national bank may convert to, or acquire and retain all or substantially all of the assets and liabilities of, a national banking association operating in stock form; and

“(2) a national banking association operating in stock form may convert to a mutual national bank.

“(d) DEFINITIONS.--For purposes of this section, the following definitions shall apply:

“(1) INSURED DEPOSITORY INSTITUTION.--The term 'insured depository institution' has the same meaning as in section 3 of the Federal Deposit Insurance Act.

“(2) MUTUAL NATIONAL BANK.--The term 'mutual national bank' means a national banking association that operates in mutual form and is chartered by the Comptroller under this section.

“(e) CONFORMING REFERENCES.--Unless otherwise provided by the Comptroller--

“(1) any reference in any Federal law to a national bank, including but not limited to 'national banking association', 'member bank', 'national bank', 'national association', 'bank', 'insured bank', 'insured depository institution', or 'depository institution', shall be deemed to refer also to a 'mutual national bank';

“(2) any reference in any Federal law to 'shareholder', 'shareholders', 'stockholder', or 'stockholders' of a national banking association shall be deemed to refer also to any member or members of a mutual national bank;

“(3) any reference in any federal law to 'board of directors', 'director', or 'directors' of a national banking association shall be deemed to refer also to the board of trustees, trustee, or trustees, respectively, of a mutual national bank; and

“(4) any terms in Federal law that may apply only to a national banking association operating in stock form, including but not limited to the terms 'stock', 'shares', 'shares of stock', 'capital stock', 'common stock', 'stock certificate', 'stock certificates', 'certificate representing shares of stock', 'stock dividend', 'transferable stock', 'each class of stock', 'cumulate such shares', 'par value', 'preferred stock', 'body corporate', 'corporation', 'corporate powers', 'incorporated', 'articles of association', and 'corporate existence', shall not apply to a mutual national bank, unless the Comptroller determines that the context requires otherwise.”

“SEC. 5133B FEDERAL MUTUAL BANK HOLDING COMPANIES.

“(a) REORGANIZATION OF MUTUAL NATIONAL BANK AS A HOLDING COMPANY.--

“(1) IN GENERAL.--Subject to approval under the Bank Holding Company Act of 1956, a mutual national bank may reorganize so as to become a Federal mutual bank holding company by submitting a reorganization plan to the Comptroller of the Currency for the Comptroller’s approval.

“(2) PLAN APPROVAL.--Upon the Comptroller of the Currency's approval of the reorganization plan and the issuance of the appropriate charters--

“(A) the substantial part of the mutual national bank's assets and liabilities, including all of the bank's insured liabilities, shall be transferred to a national banking association, the stock of which is owned

(except as otherwise provided by this section) by the mutual national bank; and

“(B) the mutual national bank shall become a Federal mutual bank holding company.

“(b) DIRECTORS AND CERTAIN ACCOUNT HOLDERS' APPROVAL OF PLAN

REQUIRED.--This subsection does not authorize a reorganization unless--

“(1) a majority of the mutual national bank's board of directors has approved the plan providing for such reorganization; and

“(2) in the case of a mutual national bank in which holders of accounts and obligors exercise voting rights, a majority of such individuals has approved the plan at a meeting held at the call of the directors under the procedures prescribed by the bank's charter and bylaws.

“(c) RETENTION OF CAPITAL.--In connection with a transaction described in subsection (a), a mutual national bank may, subject to the Comptroller's approval, retain capital at the holding company level to the extent that the capital retained at the holding company level exceeds the amount of capital required for the national banking association chartered as a part of a transaction described in subsection (a) to meet all relevant capital standards established by the Comptroller for national banking associations.

“(d) OWNERSHIP.--

“(1) IN GENERAL.--Persons having ownership rights in the mutual national bank under Federal or State law shall have the same ownership rights with respect to the Federal mutual bank holding company.

“(2) HOLDERS OF CERTAIN ACCOUNTS.--Holders of savings, demand, or other accounts in the following institutions shall have the same ownership rights with respect to the Federal mutual bank holding company as persons described in paragraph (1):

“(A) a national banking association chartered as part of a transaction described in subsection (a); and

“(B) a mutual bank acquired through the merger of the mutual bank into a national banking association subsidiary of the holding company or an interim national banking association subsidiary of the holding company.

“(e) REGULATION.--A Federal mutual bank holding company shall be--

“(1) chartered by the Comptroller of the Currency and shall be subject to such regulations as the Comptroller shall prescribe; and

“(2) regulated under the Bank Holding Company Act of 1956 on the same terms and subject to the same limitations as any other company that controls a bank.

“(f) CAPITAL IMPROVEMENT.--

“(1) PLEDGE OF STOCK OF NATIONAL BANK SUBSIDIARY.--This section shall not prohibit a Federal mutual bank holding company from pledging all or a portion of the stock of a national banking association chartered as part of a transaction described in subsection (a) to raise capital for such bank.

“(2) ISSUANCE OF NONVOTING SHARES.--This section shall not prohibit a national banking association chartered as part of a transaction described in subsection (a) from issuing any nonvoting shares, or less than 50 percent of the voting shares of such bank, to any person other than the Federal mutual bank holding company.

“(g) INSOLVENCY AND LIQUIDATION.--

“(1) IN GENERAL.--Notwithstanding any other provision of law, the Comptroller of the Currency may file a petition under chapter 7 of title 11, United States Code with respect to a Federal mutual bank holding company upon--

“(A) the default of any national bank--

“(i) the stock of which is owned by the Federal mutual bank holding company; and

“(ii) that was chartered in a transaction described in subsection (a); or

“(B) a foreclosure on a pledge by the Federal mutual bank holding company described in subsection (f)(1).

“(2) DISTRIBUTION OF NET PROCEEDS.--Except as provided in paragraph (3), the net proceeds of any liquidation of any Federal mutual bank holding company under paragraph (1) shall be transferred to persons who hold ownership interests in such Federal mutual bank holding company.

“(3) RECOVERY BY FDIC.--If the Federal Deposit Insurance Corporation incurs a loss as a result of the default of any insured bank subsidiary of a Federal mutual bank holding company that is liquidated under paragraph (1), the Federal Deposit Insurance Corporation shall succeed to the ownership interests of the depositors of the bank in the Federal mutual bank holding company, to the extent of the Federal Deposit Insurance Corporation's loss.

“(h) DEFINITIONS.--

“(1) FEDERAL MUTUAL BANK HOLDING COMPANY.--The term 'Federal mutual bank holding company' means a corporation chartered under this section.

“(2) DEFAULT.--With respect to a national bank, the term 'default' means an adjudication or other official determination by any court of competent jurisdiction, the Comptroller, or other public authority pursuant to which a conservator, receiver, or other legal custodian is appointed for the national bank.

(b) TECHNICAL AMENDMENT.--The table of sections for chapter one of title LXII of the Revised Statutes of the United States (12 U.S.C. 21 et seq) is amended by inserting after the item relating to section 5133 the following new items:

“5133A Mutual national banks.

“5133B Federal mutual bank holding companies.”

(c) APPROPRIATE FEDERAL BANKING AGENCY FOR FEDERAL MUTUAL BANK HOLDING COMPANIES.--Section 3(q)(1) of the Federal Deposit Insurance Act (12 U.S.C. 1813(q)(1)) is amended to read as follows:

“(1) The Comptroller of the Currency in the case of--

“(A) any national banking association, any District bank, or any Federal branch or agency of a foreign bank; and

“(B) supervisory or regulatory proceedings arising from the authority given to the Comptroller under section 5133B of the Revised Statutes of the United States.”.

(d) MUTUAL HOLDING COMPANY CONVERSION.--

(1) IN GENERAL.--Any mutual holding company may convert to a Federal mutual bank holding company by filing with the Comptroller of the Currency a notice of its election to convert on a specified date that is not earlier than 30 days after the date on which the notice is filed, and the mutual holding company shall be converted to a Federal mutual holding company charter on the date specified in the notice.

(2) AUTOMATIC CONVERSION.--On the date 2 years after the date of enactment of this Act, each mutual holding company shall become a Federal mutual bank holding company by operation of law.

(3) DEFINITIONS.--For purposes of this subsection, the following definitions apply:

(A) FEDERAL MUTUAL BANK HOLDING COMPANY.--The term 'Federal mutual bank holding company' has the same meaning as in section 5133B of the Revised Statutes of the United States (as added by this section).

(B) MUTUAL HOLDING COMPANY.--The term 'mutual holding company' has the same meaning as in section 10(o)(10)(A) of the Home Owners' Loan Act as in effect on the day before the date of enactment of this Act.

(e) EFFECTIVE DATE.--This section shall become effective 60 days after the date of enactment of this Act.

SEC. 313. GRANDFATHERED ACTIVITIES OF SAVINGS ASSOCIATIONS.

(a) SAVINGS ASSOCIATIONS THAT CONVERT TO NATIONAL BANKS.--Except as provided in subsection (b), any savings association that converted to a national bank under section 311 may continue to engage in any activity, including the holding of any asset, in which it was lawfully engaged on the day before the date of enactment of this Act.

(b) INVESTMENTS NOT AUTHORIZED FOR NATIONAL BANKS TO HOLD DIRECTLY.--

(1) IN GENERAL.--Effective 2 years after the date of enactment of this Act, a national bank resulting from the conversion of a savings association to a national bank under section 311--

(A) may, if a subsidiary of the bank is engaged in an activity that is not permissible for a national bank to engage in directly, retain an equity investment in the subsidiary only if the bank and the subsidiary comply with section 5136B of the Revised Statutes of the United States (as added by section 151 of this Act); and

(B) shall, in determining compliance with applicable capital standards, deduct from the bank's assets and tangible equity capital the amount of any equity investment (other than an investment subject to subparagraph (A)) that is not a permissible investment for a national bank to hold directly.

(2) TRANSITION PROVISION.--During the 2-year period beginning on the date of enactment of this Act, a national bank resulting from the conversion of a savings association may retain an equity investment that is not permissible for a national bank to hold directly only if the bank complies with section 5(t)(5) of the Home Owners' Loan Act to the same extent as if the institution were a savings association subject to the Home Owners' Loan Act.

(c) PERMISSIBLE ACTIVITIES OF STATE SAVINGS ASSOCIATIONS THAT CONVERT TO STATE BANKS.--For purposes of section 24 of the Federal Deposit Insurance Act, during the 2-year period beginning on the date of enactment of this Act, a State savings association that converts to a State bank may, to the extent permitted by applicable State law, continue to engage (in the same manner) in any activity, including the holding of any asset, permitted under section 28 of the Federal Deposit Insurance Act (as in effect on the day before the date of enactment of this Act) in which the savings association was lawfully engaged on the day before the date of enactment of this Act.

SEC. 314. BRANCHES OF FORMER SAVINGS ASSOCIATIONS.

(a) BRANCHES.--

(1) EXISTING BRANCHES RETAINED.--Notwithstanding any other provision of law, any depository institution that qualifies under paragraph (2), and any successor to such an institution, may continue, after the depository institution becomes a bank, to operate any branch or agency that the institution operated as a branch or agency, respectively, on the date of enactment of this Act.

(2) DEPOSITORY INSTITUTION DEFINED.--A depository institution qualifies under this paragraph for purposes of paragraph (1) if it--

(A) is a savings association on the date of enactment of this Act;

and

(B) on or before the date 2 years after the date of enactment of this Act, becomes a national bank.

(b) BRANCHING RIGHTS OBTAINED IN ASSISTED ACQUISITIONS.--Notwithstanding any other provision of law, if a depository institution has branching rights under a contract entered into with the Federal Home Loan Bank Board or the Federal Savings and Loan Insurance Corporation or pursuant to a resolution of the Federal Home Loan Bank Board or action of the Office of Thrift Supervision or Resolution Trust Corporation as part of a transaction in which the depository institution acquired or merged with a failed or failing savings association (prior to 1992), the depository institution may continue to branch in a manner consistent with that contract, resolution, or action.

(c) BRANCHING RIGHTS OF STATE CHARTERED INSTITUTIONS NOT AFFECTED.--Except as provided in subsection (b), applicable State law and Federal law shall govern the authority of a savings association that converts to a State savings association charter or a State bank charter to continue to operate any branch or agency that the institution operated prior to conversion and the future branching rights of the converted institution.

SEC. 315. PROGRAMS FOR PROMOTING HOUSING FINANCE.

Section 22 of the Federal Deposit Insurance Act (12 U.S.C. 1830) is amended by--

(1) striking “It is not” and inserting “(a) IN GENERAL.--It is not”; and

(2) adding at the end the following new subsection:

“(b) PROGRAMS FOR PROMOTING HOUSING FINANCE.

“(1) FINDINGS.--The Congress finds that it is in the national interest to protect and promote housing finance in the process of converting savings associations to banks and eliminating the separate Federal regulation of savings associations.

“(2) PROGRAMS REQUIRED.--In furtherance of paragraph (1), each appropriate Federal banking agency shall--

“(A) develop and implement a program designed to--

“(i) facilitate the conversion of savings associations to banks and the treatment of State savings associations as State banks; and

“(ii) promote housing finance by assuring that insured depository institutions may, at their own election, specialize in residential mortgage lending; and

“(B) develop guidelines and procedures for assuring that insured depository institutions are not subject to supervisory criticism or sanction for prudently concentrating in residential mortgage lending.”.

SEC. 316. SAVINGS AND LOAN HOLDING COMPANIES.

(a) SAVINGS AND LOAN HOLDING COMPANY POWERS GRANDFATHERED.--Section 3 of the Bank Holding Company Act of 1956 (12 U.S.C. 1842) is amended by adding at the end the following new subsection:

“(h) SAVINGS AND LOAN HOLDING COMPANY POWERS GRANDFATHERED.--

“(1) IN GENERAL.--A company that qualifies under paragraph (2) and complies with paragraph (3) may--

“(A) maintain or enter into any nonbank affiliation that the company was authorized to maintain or enter into on the day before the date of enactment of the Thrift Charter Transition Act of 1997; and

“(B) engage in any activity, including holding any asset, in which the company or any affiliate described in subparagraph (A) was authorized to engage on the day before the date of enactment of the Thrift Charter Transition Act of 1997.

“(2) QUALIFIED GRANDFATHERED COMPANIES.--

“(A) GRANDFATHERED COMPANIES DEFINED.--A company qualifies under this paragraph for purposes of paragraph (1) if--

“(i) as of May 15, 1997, the company was a savings and loan holding company (as defined in the section 10 of Home Owners' Loan Act, as in effect on that date); and

“(ii) the company--

“(I) after May 15, 1997, becomes a bank holding company by operation of law; or

“(II) as of May 15, 1997, was exempt from section 4 (as in effect on May 15, 1997) under an order issued by the Board under section 4(d)(as in effect on that date).

“(B) OPERATION OF LAW DEFINED.--For purposes of this subsection, a savings and loan holding company becomes a bank holding company by operation of law if a savings association controlled by the company on May 15, 1997, is converted to a bank or is treated as a bank under an amendment made by the Thrift Charter Transition Act of 1997.

“(3) REQUIREMENTS TO RETAIN GRANDFATHERED POWERS.--

“(A) IN GENERAL.--Paragraph (1) shall cease to apply to a company if the company does not comply with this paragraph.

“(B) HOLDING COMPANY CONDITIONS AND SAFEGUARDS APPLY.--Beginning 2 years after the date of enactment of the Thrift Charter Transition Act of 1997, the company shall comply with section 6(a)(1) and shall be subject to all of the restrictions and requirements applicable to a qualifying bank holding company, except that the activities of the company need not be financial in nature as defined in section 6(a)(2).

“(C) ACQUISITION OF BANKS .--

“(i) IN GENERAL.--The company may not acquire (by any form of business combination) control of a bank after May 15, 1997.

“(ii) EXCEPTIONS TO PROHIBITION.--Clause (i) shall not apply to the acquisition of--

“(I) a bank, during the period ending on the date 2 years after the date of enactment of the Thrift Charter Transition Act of 1997, if the acquisition results from the conversion of a savings association or the treatment of a savings association as a bank under amendments made by the Thrift Charter Transition Act of 1997;

“(II) shares held as a bona fide fiduciary (whether with or without the sole discretion to vote such shares);

“(III) shares held by any person as a bona fide fiduciary solely for the benefit of employees of either the company or any subsidiary of the company and the beneficiaries of those employees;

“(IV) shares held temporarily pursuant to an underwriting commitment in the normal course of an underwriting business;

“(V) shares held in an account solely for trading purposes;

“(VI) shares over which no control is held other than control of voting rights acquired in the normal course of a proxy solicitation;

“(VII) shares or assets acquired in securing or collecting a debt previously contracted in good faith, during the 2-year period beginning on the date of such acquisition or for such additional time (not exceeding 3 years) as the Board may permit if the Board determines that such an extension will not be detrimental to the public interest;

“(VIII) a bank from the Federal Deposit Insurance Corporation, in any capacity; and

“(IX) a bank in an acquisition in which the bank has been found to be in danger of default (as defined in section 3 of the Federal Deposit Insurance Act) by the appropriate Federal or State authority.

“(4) GRANDFATHERED POWERS NONTRANSFERABLE.--

“(A) IN GENERAL.--Paragraph (1) shall not apply with respect to any company if after the date of enactment of the Thrift Charter Transition Act of 1997--

“(i) any company not under common control with such company as of that date acquires, directly, or indirectly, control of the company; or

“(ii) the company is the subject of any merger, consolidation, or other type of business combination as a result of

which a company not under common control with such company acquires, directly or indirectly, control of such company.

“(B) ANTI-EVASION.--The appropriate Federal banking agency may issue interpretations, regulations, or orders that it deems necessary to administer and carry out the purpose, and prevent evasions, of this paragraph, including determining that (notwithstanding the form of a transaction) the transaction would in substance effect a change in control.”.

(b) SAVINGS AND LOAN HOLDING COMPANIES THAT BECOME BANK HOLDING COMPANIES.--

(1) EXCLUSION FROM APPLICATION REQUIREMENT.--A company that qualifies under paragraph (3)(A) shall not be required to obtain the approval of the Board of Governors of the Federal Reserve System under section 3(a) of the Bank Holding Company Act of 1956 to become a bank holding company if it becomes a bank holding company after the date of enactment of this Act as a result of the conversion of a savings association subsidiary to a bank or by virtue of the treatment of a savings association subsidiary as a bank under an amendment made by this Act.

(2) EXCLUSION FROM CAPITAL REQUIREMENTS.--During the 2-year period beginning on the date of enactment of this Act, a company that qualifies under paragraph (3)(B) shall not be subject to any standards, guidelines, requirements,

or the functional equivalent thereof, prescribed by the Board of Governors of the Federal Reserve System relating to the capital of a bank holding company.

(3) COMPANIES EXCLUDED FROM BANK HOLDING COMPANY APPLICATION AND CAPITAL REQUIREMENTS.--

(A) COMPANIES EXCLUDED FROM APPLICATION REQUIREMENT.--A
company qualifies for purposes of paragraph (1) if the company--

(i) as of May 15, 1997, was a savings and loan holding company (as defined in section 10(a) of the Home Owners' Loan Act as in effect on that date); and

(ii) does not acquire control of a bank after May 15, 1997, except as a result of the conversion of a savings association subsidiary to a bank or by virtue of the treatment of a savings association subsidiary as a bank under an amendment made by this Act.

(B) COMPANIES EXCLUDED FROM CAPITAL REQUIREMENTS.--A
company qualifies for purposes of paragraph (2), if the company--

(i) meets the requirements of subparagraph (A)(i);

(ii) except as described in clause (iii), does not acquire control of a bank after May 15, 1997; and

(iii) after the date of enactment of this Act, becomes a bank holding company as a result of the conversion of a savings association subsidiary to a bank.

(C) EXCEPTIONS.--The prohibition against acquiring control of a bank in subparagraphs (A)(ii) and (B)(ii) shall not apply to the acquisition of--

(i) a bank, during the period ending on the date 2 years after the date of enactment of the Thrift Charter Transition Act of 1997, if the acquisition results from the conversion of a savings association or the treatment of a savings association as a bank under amendments made by the Thrift Charter Transition Act of 1997;

(ii) shares held as a bona fide fiduciary (whether with or without the sole discretion to vote such shares);

(iii) shares held by any person as a bona fide fiduciary solely for the benefit of employees of either the company or any subsidiary of the company and the beneficiaries of those employees;

(iv) shares held temporarily pursuant to an underwriting commitment in the normal course of an underwriting business;

(v) shares held in an account solely for trading purposes;

(vi) shares over which no control is held other than control of voting rights acquired in the normal course of a proxy solicitation;

(vii) shares or assets acquired in securing or collecting a debt previously contracted in good faith, during the 2-year period beginning on the date of such acquisition or for such additional time (not exceeding 3 years) as the Board may permit if the Board determines that such an extension will not be detrimental to the public interest;

(viii) a bank from the Federal Deposit Insurance Corporation, in any capacity; and

(ix) a bank in an acquisition in which the bank has been found to be in danger of default (as defined in section 3 of the Federal Deposit Insurance Act) by the appropriate Federal or State authority.

(4) DEFINITIONS.--For purposes of this section, the terms “bank”, “bank holding company”, and “control” have the same meanings as in section 2 of the Bank Holding Company Act of 1956.

SEC. 317. FEDERAL HOME LOAN BANK MEMBERSHIP.

A depository institution that, on or after the date of enactment of this Act, is a Federal savings association may not voluntarily withdraw from membership in a

Federal Home Loan Bank until the end of the 2-year period beginning on the date of enactment of this Act.

*Subtitle B -- Ending Separate Federal Regulation of Savings
Associations and Savings and Loan Holding Companies*

**SEC. 321. STATE SAVINGS ASSOCIATIONS TREATED AS STATE BANKS
UNDER FEDERAL BANKING LAW.**

*(a) AMENDMENTS TO THE FEDERAL DEPOSIT INSURANCE ACT.--Section 3 of the
Federal Deposit Insurance Act (12 U.S.C. 1813) is amended--*

(1) by revising subsection (a)(2) to read as follows:

“(2) STATE BANK.--

*“(A) IN GENERAL.--The term 'State bank' means any bank,
banking association, trust company, savings bank, industrial bank (or
similar depository institution which the Board of Directors finds to be
operating in substantially the same manner as an industrial bank),
building and loan association, savings and loan association, homestead
association, cooperative bank, or other banking institution--*

*“(i) which is engaged in the business of receiving deposits,
other than trust funds (as defined in this section); and*

“(ii) which--

“(I) is incorporated under the laws of any State;

“(II) is organized and operating according to the laws of the State in which such institution is chartered or organized; or

“(III) is operating under the Code of Law for the District of Columbia (except a national bank).

“(B) CERTAIN INSURED BANKS INCLUDED.--The term 'State bank' includes any cooperative bank or other unincorporated bank the deposits of which were insured by the Corporation on the day before the date of enactment of the Financial Institutions Reform, Recovery, and Enforcement Act of 1989.

“(C) CERTAIN UNINSURED BANKS EXCLUDED.--The term 'State bank' does not include any cooperative bank or other unincorporated bank the deposits of which were not insured by the Corporation on the day before the date of enactment of the Financial Institutions Reform, Recovery, and Enforcement Act of 1989.”; and

(2) in subsection (q), by--

(A) inserting “and” after the semicolon at the end of paragraph (2);

(B) striking “; and” at the end of paragraph (3) and inserting a period; and

(C) striking paragraph (4).

(b) AMENDMENT TO THE BANK HOLDING COMPANY ACT OF 1956.--Section 2(a)(5)(E) of the Bank Holding Company Act of 1956 (12 U.S.C. 1841(a)(5)(E)) is repealed.

(c) AMENDMENTS TO THE FEDERAL RESERVE ACT.--Section 1 of the Federal Reserve Act (12 U.S.C. 221) is amended by inserting “(as defined in section 3 of the Federal Deposit Insurance Act)” after “State bank” each place it appears.

(d) EFFECTIVE DATE.--This section shall become effective 2 years after the date of enactment of this Act.

SEC. 322. POWERS OF FEDERAL SAVINGS ASSOCIATIONS ACCORDED TO NATIONAL BANKS.

(a) ADDITIONAL POWERS FOR NATIONAL BANKS TO ACCOMMODATE FEDERAL SAVINGS ASSOCIATION CONVERSIONS.--Section 5136 of the Revised Statutes of the United States (12 U.S.C. 24) is amended by adding at the end the following new paragraph:

“Twelfth. To exercise all the powers and privileges authorized by the Director of the Office of Thrift Supervision for a Federal savings association on the day before the date of enactment of the Financial Services Competition Act of 1997, subject to the requirements otherwise applicable to national banks, including section 5136B, except this paragraph does not confer on a national bank the power granted to a Federal savings association under section 5(c)(4)(B) of the Home Owners’ Loan Act to invest in a corporation engaged in

real estate development and the power granted to a Federal savings association under section 5(c)(4)(B) of the Home Owners' Loan Act to invest in a corporation may be exercised by a national bank only if the investment is made in a corporation that is a subsidiary of the bank.”.

(b) EFFECTIVE DATE.--This section shall become effective 2 years after the date of enactment of this Act.

SEC. 323. HOME OWNERS' LOAN ACT REPEALED.

Effective 2 years after the date of enactment of this Act, the Home Owners' Loan Act (12 U.S.C. 1461-1468c) is repealed.

SEC. 324. CONFORMING AMENDMENT REFLECTING ELIMINATION OF THE FEDERAL THRIFT CHARTER AND THE SEPARATE SYSTEM OF THRIFT REGULATION.

Section 2704(c) of the Economic Growth and Regulatory Paperwork Reduction Act of 1996 is amended to read as follows:

“(c) EFFECTIVE DATE.--This section and the amendments made by this section shall become effective on the earlier of January 1, 2000, or the date 2 years after the date of enactment of the Thrift Charter Transition Act of 1997.”.

SEC. 325. CONFORMING AMENDMENTS TO THE FEDERAL HOME LOAN BANK ACT.

(a) AMENDMENT TO SECTION 2.--Section 2 of the Federal Home Loan Bank Act (12 U.S.C. 1422) is amended by striking paragraph (9) and redesignating paragraphs (10) through (12) as paragraphs (9) through (11), respectively.

(b) AMENDMENT TO SECTION 6.--Section 6(e) of the Federal Home Loan Bank Act (12 U.S.C. 1426(e)) is amended by striking “other than a Federal savings and loan association”.

(c) AMENDMENTS TO SECTION 10.--Section 10 of the Federal Home Loan Bank Act (12 U.S.C. 1430) is amended--

(1) in subsections (e)(5)(A), (e)(5)(B), and (e)(5)(C), by inserting before the period at the end of each subsection “(as such section is in effect on the day before the date of enactment of this Act)”;

(2) by striking subsection (h); and

(3) by redesignating subsections (i) and (j) as subsections (h) and (i), respectively.

(d) AMENDMENTS TO SECTION 11.--Section 11(e)(2)(C) of the Federal Home Loan Bank Act (12 U.S.C. 1431(e)(2)(C)) is amended by--

(1) striking “, and with respect to the collection and settlement (including payment by the payor institution) of items payable by Federal savings and loan associations and Federal mutual savings banks,”; and

(2) striking “, associations, or banks”.

(e) AMENDMENT TO SECTION 18.--Section 18(c) of the Federal Home Loan Bank Act (12 U.S.C. 1438(c)) is repealed.

(f) AMENDMENT TO SECTION 22.--Section 22(a) of the Federal Home Loan Bank Act (12 U.S.C. 1442(a)) is amended by striking “, and the Director of the Office of Thrift Supervision” each place it appears and inserting “and” before “the Chairperson of the National Credit Union Administration” each place it appears.

(g) AMENDMENT TO SECTION 24.--Section 24 of the Federal Home Loan Bank Act (12 U.S.C. 1444) is repealed.

(h) EFFECTIVE DATE.--This section shall become effective 2 years after the date of enactment of this Act.

Subtitle C -- Combining OTS and OCC

SEC. 331. PROHIBITION OF MERGER OR CONSOLIDATION REPEALED.

Section 321(e) of title 31, United States Code (31 U.S.C. 321(e)) is repealed.

SEC. 332. SECRETARY OF THE TREASURY REQUIRED TO FORMULATE PLANS FOR COMBINING OFFICE OF THRIFT SUPERVISION WITH OFFICE OF THE COMPTROLLER OF THE CURRENCY.

Not later than 9 months after the date of the enactment of this Act, the Secretary of the Treasury, in consultation with the Director of the Office of Thrift Supervision and the Comptroller of the Currency, shall formulate a plan for consolidating the Office of Thrift Supervision with the Office of the Comptroller of the Currency by the

end of the 2-year period beginning on the date of enactment of this Act. The Director of the Office of Thrift Supervision and the Comptroller of the Currency shall implement that plan, notwithstanding any other provision of title 12, United States Code.

**SEC. 333. OFFICE OF THRIFT SUPERVISION AND POSITION OF
DIRECTOR OF OFFICE OF THRIFT SUPERVISION ABOLISHED.**

Effective 2 years after the date of enactment of this Act, the Office of Thrift Supervision and the position of Director of the Office of Thrift Supervision are abolished.

**SEC. 334. CONFORMING CHANGES IN FEDERAL DEPOSIT INSURANCE
CORPORATION'S BOARD OF DIRECTORS.**

(a) THREE MEMBER BOARD OF DIRECTORS.--Section 2(a) of the Federal Deposit Insurance Act (12 U.S.C. 1812(a)) is amended to read as follows:

"(a) BOARD OF DIRECTORS.--

“(1) IN GENERAL.--The management of the Corporation shall be vested in a Board of Directors consisting of 3 members--

“(A) 1 of whom shall be the Comptroller of the Currency; and

“(B) 2 of whom shall be appointed by the President, by and with the advice and consent of the Senate, from among individuals who are citizens of the United States, 1 of whom shall have State bank supervisory experience.

“(2) POLITICAL AFFILIATION.--Not more than 2 members of the Board of Directors may be members of the same political party.”.

(b) ACTING CHAIRPERSON.--Section 2(b)(3) of the Federal Deposit Insurance Act (12 U.S.C. 1812(b)(3)) is amended to read as follows:

“(3) In the event of a vacancy in the position of Chairperson, and pending the appointment of the Chairperson’s successor, the Comptroller of the Currency shall act as Chairperson.”.

(c) ACTING COMPTROLLER MAY SERVE ON BOARD OF DIRECTORS.--Section 2(d)(2) of the Federal Deposit Insurance Act (12 U.S.C. 1812(d)(2)) is amended to read as follows:

“(2) ACTING COMPTROLLER MAY SERVE.--In the event of a vacancy in the office of the Comptroller of the Currency and pending the appointment of a successor, or during the absence or disability of the Comptroller, the acting Comptroller of the Currency shall be a member of the Board of Directors in the place of the Comptroller.”.

(d) EFFECTIVE DATE.--This section shall become effective two years after the date of enactment of this Act.

SEC. 335. CONTINUATION PROVISIONS.

(a) CONTINUATION OF ORDERS, RESOLUTIONS, DETERMINATIONS AND REGULATIONS.--All orders, resolutions, determinations and regulations of the Office of Thrift Supervision that have been issued, made, prescribed or allowed to become

effective by the Office of Thrift Supervision (including orders, resolutions, determinations and regulations that relate to the conduct of conservatorship and receiverships), or by a court of competent jurisdiction, and are in effect on the day before the date of enactment, shall continue in effect according to the terms of such orders, resolutions, determinations, and regulations and shall be enforceable by or against the appropriate successor agency until modified, terminated, set aside or superseded in accordance with applicable law by the appropriate successor agency or by a court of competent jurisdiction or by operation of law.

(b) CONTINUATION OF SUITS.--No action or other proceeding commenced by or against the Office of Thrift Supervision shall abate because of the enactment of this Act, except that the appropriate successor agency to the Office of Thrift Supervision shall be substituted for the Office of Thrift Supervision as a party to any such action or proceeding.

(c) CONTINUATION OF AGENCY SERVICES.--Any agency, department, or other instrumentality of the United States, and any successor to such agency, department, or instrumentality, that was providing supporting services to the Office of Thrift Supervision shall--

(1) continue to provide such services, on a reimbursable basis or as otherwise agreed before the date of enactment, to the Office of Thrift Supervision; and

(2) consult with the Office of Thrift Supervision to coordinate and facilitate a prompt and reasonable completion or termination of such services.

(d) TRANSFER OF PROPERTY.--Not later than two years of the date of enactment, all property of the Office of Thrift Supervision shall be transferred to the Office of the Comptroller of the Currency, or another appropriate successor agency, in accordance with the division of responsibilities and activities effected by this Act. For purposes of this subsection, the term “property” includes, but is not limited to, all interests in real property and all personal property, including financial assets, computer hardware and software, furniture, fixtures, books, accounts, records, reports of examination, work papers and correspondence related to such reports of examination, and any information, materials, property, and assets not specifically listed. The Secretary of the Treasury shall resolve any disagreement between successor agencies.

*Subtitle D -- Technical and Conforming Amendments to the
Depository Institution Statutes*

SEC. 341. AMENDMENTS TO THE FEDERAL DEPOSIT INSURANCE ACT.

(a) AMENDMENT TO SECTION 1.--Section 1(a) of the Federal Deposit Insurance Act (12 U.S.C. 1811(a)) is amended by striking “and savings associations”.

(b) AMENDMENT TO SECTION 2.--Section 2(f)(2) of the Federal Deposit Insurance Act (12 U.S.C. 1812(f)(2)) is amended by striking “or the Office of Thrift Supervision”.

(c) AMENDMENTS TO SECTION 3.--Section 3 of the Federal Deposit Insurance Act (12 U.S.C. 1813) is amended--

(1) in subsection (b)--

(A) by striking subparagraph (A);

(B) by striking “and the Director of the Office of Thrift Supervision jointly determine” in paragraph (1)(C) and inserting “determines”;

(C) by redesignating paragraph (1)(B) and (1)(C) (as amended by subparagraph (B) of this paragraph) as paragraphs (1)(A) and (1)(B), respectively; and

(D) by striking paragraph (2) and redesignating paragraph (3) as paragraph (2);

(2) in subsection (l)(5)--

(A) by striking “or savings association” each place it appears; and

(B) by striking “Director of the Office of Thrift Supervision”;

(3) in subsection (q)--

(A) by inserting “and” after the semicolon at the end of paragraph (2)(F);

(B) by striking “; and” at the end of paragraph (3) and inserting a period at the end; and

(C) by striking paragraph (4); and

(4) in subsection (z), by striking “the Director of the Office of Thrift Supervision,”.

(d) AMENDMENT TO SECTION 4.--Section 4(a) of the Federal Deposit Insurance Act (12 U.S.C. 1814(a)) is amended--

(1) by striking “(1) BANKS--”; and

(2) by striking paragraph (2).

(e) AMENDMENTS TO SECTION 7.--Section 7 of the Federal Deposit Insurance Act (12 U.S.C. 1817) is amended--

(1) in subsection (a)(2)--

(A) by striking “the Director of the Office of Thrift Supervision,” in subparagraph (A); and

(B) by striking “and the Director of the Office of Thrift Supervision” in subparagraph (B) and inserting “and” before “the Board of Governors of the Federal Reserve System”;

(2) by striking “and the Director of the Office of Thrift Supervision” in subsection (a)(3), and inserting “and” before “the Board of Governors of the Federal Reserve System”;

(3) by striking “the Director of the Office of Thrift Supervision” in subsection (a)(7); and

(4) by striking subsection (n).

(f) AMENDMENTS TO SECTION 8.--Section 8 of the Federal Deposit Insurance Act (12 U.S.C. 1818) is amended--

(1) in subsection (a)(8), by striking subparagraph (B) and redesignating subparagraphs (C) through (H) as subparagraphs (B) through (G), respectively;

(2) in subsection (b), by striking paragraph (9) and redesignating paragraph (10) as paragraph (9);

(3) in subsection (o), by striking “Whenever the insured status of an insured Federal savings bank” and all that follows through “which shall be the Corporation.”; and

(4) in subsection (w)(3)(A), by striking “and the Office of Thrift Supervision, where appropriate”.

(g) AMENDMENT TO SECTION 10.--Section 10(c) of the Federal Deposit Insurance Act (12 U.S.C. 1820(c)) is amended by striking “savings association,”.

(h) AMENDMENTS TO SECTION 11.--Section 11 of the Federal Deposit Insurance Act (12 U.S.C. 1821) is amended--

(1) in subsection (c), by striking paragraph (6) and redesignating paragraphs (7) through (13) as paragraphs (6) through (12), respectively;

(2) in subsection (d)(2)(F), by striking “receiver--” and all that follows through “(ii) with” and inserting “receiver with”;

(3) in subsection (d)(17)(A), by striking “or the Director of the Office of Thrift Supervision”; and

(4) in subsection (d)(18)(B), by striking “or the Director of the Office of Thrift Supervision”.

(i) AMENDMENT TO SECTION 13.--Section 13(k) of the Federal Deposit Insurance Act (12 U.S.C. 1823(k)) is repealed.

(j) AMENDMENTS TO SECTION 18.--Section 18 of the Federal Deposit Insurance Act (12 U.S.C. 1828) is amended--

(1) in subsection (c)(2)--

(A) by inserting “and” after the semicolon at the end of subparagraph (B);

(B) in subparagraph (C), by striking “(except a District bank or a savings bank supervised by the Director of the Office of Thrift Supervision; and” and inserting “(except a District bank).”; and

(C) by striking subparagraph (D);

(2) in subsection (g)(1), by striking “and the Director of the Office of Thrift Supervision”;

(3) in subsection (i)(2)--

(A) by inserting “and” after the semicolon at the end of subparagraph (B);

(B) by striking “; and” in subparagraph (C) and inserting a period; and

(C) by striking subparagraph (D); and

(4) by striking subsection (m).

(k) AMENDMENTS TO SECTION 22.--Section 22 of the Federal Deposit Insurance Act (12 U.S.C. 1830) is amended--

(1) by striking “or State savings associations and in favor of national or member banks or Federal savings associations, respectively” and inserting “and in favor of national or member banks”; and

(2) by striking “and savings associations”.

(l) AMENDMENT TO SECTION 28.--Section 28 of the Federal Deposit Insurance Act (12 U.S.C. 1831e) is repealed.

(m) AMENDMENT TO SECTION 33.--Section 33(e) of the Federal Deposit Insurance Act (12 U.S.C. 1831j(e)) is amended by striking “and the Director of the Office of Thrift Supervision” and inserting “and” before “the Comptroller of the Currency”.

(n) AMENDMENT TO SECTION 38.--Section 38(o) of the Federal Deposit Insurance Act (12 U.S.C. 1831o(o)) is repealed.

SEC. 342. AMENDMENT TO THE BANK HOLDING COMPANY ACT OF 1956.

Section 2 of the Bank Holding Company Act of 1956 (12 U.S.C. 1841) is amended by striking subsections (i) and (j) and redesignating subsections (k) through (o) as subsections (i) through (l), respectively.

SEC. 343. AMENDMENTS TO THE FEDERAL RESERVE ACT.

(a) AMENDMENTS TO SECTION 11.--Section 11(a)(2)(B) of the Federal Reserve Act (12 U.S.C. 248(a)(2)(B)) is amended --

(1) by inserting “and” after the comma at the end of clause (ii);

(2) by striking clause (iii); and

(3) by redesignating clause (iv) as clause (iii).

(b) AMENDMENTS TO SECTION 19.--Section 19(b) of the Federal Reserve Act (12 U.S.C. 461(b)) is amended--

(1) in paragraph (1)(A)--

(A) by inserting “and” after the semicolon at the end of clause (v);

(B) by striking clause (vi); and

(C) by redesignating clause (vii) as clause (vi); and

(2) by striking “the Director of the Office of Thrift Supervision,” each place it appears.

**SEC. 344. AMENDMENTS TO ALTERNATIVE MORTGAGE TRANSACTION
PARITY ACT OF 1982.**

Section 804(a) of the Alternative Mortgage Transaction Parity Act of 1982 (12 U.S.C. 3803) is amended--

(1) in paragraph (1)--

(A) by inserting “(as such term is defined in section 3 of the Federal Deposit Insurance Act) and all other housing creditors” after “with respect to banks”; and

(B) by inserting “and” after the semicolon at the end of the paragraph;

*(2) by deleting “; and” at the end of paragraph (2) and inserting a period;
and*

(3) by striking paragraph (3).

SEC. 345. AMENDMENTS TO THE BANK PROTECTION ACT OF 1968.

Section 2 of the Bank Protection Act of 1968 (12 U.S.C. 1881) is amended--

*(1) by striking “, and” at the end of paragraph (3) and inserting a period;
and*

(2) by striking paragraph (4).

**SEC. 346. AMENDMENTS TO THE COMMUNITY REINVESTMENT ACT OF
1977.**

*Section 803 of the Community Reinvestment Act of 1977 (12 U.S.C. 2902) is
amended--*

(1) in paragraph (1)--

*(A) by inserting “and” after the semicolon at the end of
subparagraph (B); and*

*(B) by striking “; and” in subparagraph (C) and inserting a
period;*

(2) by striking the first paragraph (2); and

*(3) in paragraph (3)(A), by striking “or Federal savings and loan
association”.*

SEC. 347. AMENDMENTS TO THE DEPOSITORY INSTITUTIONS

DEREGULATION AND MONETARY CONTROL ACT OF 1980.

Section 208(a) of the Depository Institutions Deregulation and Monetary Control Act of 1980 (12 U.S.C. 3507(a)) is amended --

(1) by striking “; and” at the end of paragraph (1)(C) and inserting a period; and

(2) by striking paragraph (2).

SEC. 348. AMENDMENTS TO THE DEPOSITORY INSTITUTION

MANAGEMENT INTERLOCKS ACT.

(a) AMENDMENT TO SECTION 202.--Section 202(2) of the Depository Institution Management Interlocks Act (12 U.S.C. 3201(2)) is amended by inserting “or” before “a company which would be” and striking “, or a savings and loan holding company” and all that follows through “Housing Act”.

(b) AMENDMENT TO SECTION 205.--Section 205 of the Depository Institution Management Interlocks Act (12 U.S.C. 3204) is amended by repealing paragraphs (8) and (9).

(c) AMENDMENTS TO SECTION 207.--Section 207 of the Depository Institution Management Interlocks Act (12 U.S.C. 3206) is amended --

(1) by striking paragraph (4); and

(2) by redesignating paragraphs (5) and (6) as paragraphs (4) and (5), respectively.

(d) AMENDMENT TO SECTION 209.--Section 209(a) of the Depository Institution Management Interlocks Act (12 U.S.C. 3207(a)) is amended--

(1) by inserting “and” after the comma; and

(2) by striking paragraph (4) and redesignating paragraph (5) as paragraph (4).

**SEC. 349. AMENDMENTS TO THE ECONOMIC GROWTH AND
REGULATORY PAPERWORK REDUCTION ACT OF 1996.**

Section 2227 of the Economic Growth and Regulatory Paperwork Reduction Act of 1996 (P.L. 104-208) is amended by striking “the Director of the Office of Thrift Supervision,”.

**SEC. 350. AMENDMENT TO THE EMERGENCY HOME FINANCE ACT OF
1970.**

Section 305(b) of the Emergency Home Finance Act of 1970 (12 U.S.C. 1454(b)) is amended by striking “any Federal savings and loan association”.

SEC. 351. AMENDMENTS TO THE EXPEDITED FUNDS AVAILABILITY ACT.

Section 610(a) of the Expedited Funds Availability Act (12 U.S.C. 4009(a)) is amended--

(1) by inserting “and” after the semicolon at the end of paragraph (i)(C);

(2) by striking paragraph (2); and

(3) by redesignating paragraph (3) as paragraph (2).

SEC. 352. AMENDMENTS TO THE FEDERAL CREDIT UNION ACT.

(a) AMENDMENT TO SECTION 107.--Section 107(7)(D) of the Federal Credit Union Act (12 U.S.C. 1757(7)(D)) is amended by striking “the Federal Savings and Loan Insurance Corporation or”.

(b) AMENDMENT TO SECTION 206.--Section 206(g)(7)(A)(ii) of the Federal Credit Union Act (12 U.S.C. 1786(g)(7)(A)(ii)) is amended by striking “, or as a savings association under section 1818(b)(8) of this title”.

SEC. 353. AMENDMENTS TO THE FEDERAL FINANCIAL INSTITUTIONS EXAMINATION COUNCIL ACT OF 1978.

(a) AMENDMENT TO SECTION 1003(1).--Section 1003(1) of the Federal Financial Institutions Examination Council Act of 1978 (12 U.S.C. 3302(1)) is amended by striking “, the Office of Thrift Supervision,”.

(b) AMENDMENT TO SECTION 1004.--Section 1004(a) of the Federal Financial Institutions Examination Council Act of 1978 (12 U.S.C. 3303(a)) is amended--

(1) in paragraph (3), by inserting “and” after the comma; and

(2) by striking paragraph (4).

SEC. 354. AMENDMENTS TO THE FINANCIAL INSTITUTIONS REFORM, RECOVERY, AND ENFORCEMENT ACT OF 1989.

(a) AMENDMENT TO SECTION 918.--Section 918(b) of the Financial Institutions Reform, Recovery, and Enforcement Act of 1989 (12 U.S.C. 1833(b)) is amended by striking paragraph (5) and redesignating paragraphs (6) and (7) as paragraphs (5) and (6), respectively.

(b) AMENDMENT TO SECTION 1121.--Section 1121(6) of the Financial Institutions Reform, Recovery, and Enforcement Act of 1989 (12 U.S.C. 3350(6)) is amended by striking “the Office of Thrift Supervision,”.

(c) AMENDMENT TO SECTION 1206.--Section 1206 of the Financial Institutions Reform, Recovery, and Enforcement Act of 1989 (12 U.S.C. 1833b) is amended by striking “and the Office of Thrift Supervision,” and inserting “and” before “the Farm Credit Administration”.

(d) AMENDMENT TO SECTION 1216.--Section 1216 of the Financial Institutions Reform, Recovery, and Enforcement Act of 1989 (12 U.S.C. 1833e) is amended--

(1) in subsection (a), by striking paragraph (2) and redesignating paragraphs (3) through (6) as paragraphs (2) through (5), respectively; and

(2) in subsection (c), by striking “the Director of the Office of Thrift Supervision,”.

SEC. 355. AMENDMENTS TO THE HOME MORTGAGE DISCLOSURE ACT OF 1975.

(a) AMENDMENTS TO SECTION 304.--Section 304(h) of the Home Mortgage Disclosure Act of 1975 (12 U.S.C. 2803(h)) is amended--

(1) by striking paragraph (2);

(2) in paragraph (5), by striking “(4)” and inserting “(3)”; and

(3) by redesignating paragraphs (3) through (5) as paragraphs (2) through (4), respectively.

(b) AMENDMENTS TO SECTION 305.--Section 305(b) of the Home Mortgage Disclosure Act of 1975 (12 U.S.C. 2804(b)) is amended--

(1) by striking paragraph (2); and
(2) by redesignating paragraphs (3) and (4) as paragraphs (2) and (3), respectively.

(c) AMENDMENTS TO SECTION 306.--Section 306(b) of the Home Mortgage Disclosure Act of 1975 (12 U.S.C. 2805(b)) is amended by striking "shall be enforced under--" and all that follows through "Federal Deposit Insurance Corporation" and inserting "under section 8 of the Federal Deposit Insurance Act (12 U.S.C. 1818) in the case of national banks, by the Comptroller of the Currency."

SEC. 356. AMENDMENTS TO THE HOUSING AND COMMUNITY DEVELOPMENT ACT OF 1992.

(a) AMENDMENT TO SECTION 1315.--Section 1315(b) of the Housing and Community Development Act of 1992 (12 U.S.C. 4515(b)) is amended by striking "and the Office of Thrift Supervision" and inserting "and" before "the Federal Deposit Insurance Corporation".

(b) AMENDMENT TO SECTION 1317(c).--Section 1317(c) of the Housing and Community Development Act of 1992 (12 U.S.C. 4517(c)) is amended by striking "or the Director of the Office of Thrift Supervision" and inserting "or" before "the Federal Deposit Insurance Corporation".

SEC. 357. AMENDMENT TO THE INTERNATIONAL BANKING ACT OF 1978.

Section 15 of the International Banking Act of 1978 (12 U.S.C. 3109) is amended by striking “Federal Deposit Insurance Corporation, and Director of the Office of Thrift Supervision” each place that it appears and inserting “and Federal Deposit Insurance Corporation”.

SEC. 358. AMENDMENTS TO THE NATIONAL HOUSING ACT.

(a) AMENDMENT TO SECTION 203.--Section 203(s) of the National Housing Act (12 U.S.C. 1709(s)) is amended--

(1) by inserting “and” after the semicolon at the end of paragraph (6);

(2) in paragraph (7)--

(A) by inserting “(as defined in section 3 of the Federal Deposit Insurance Act)” after “State bank”; and

(B) striking “; and” and inserting a period; and

(3) by striking paragraph (8).

(b) AMENDMENT TO SECTION 502.--Section 502 of the National Housing Act (12 U.S.C. 1701c(c)) is amended by striking “and the Director of the Office of Thrift Supervision, respectively”.

SEC. 359. AMENDMENTS TO PUBLIC LAW 93-495.

(a) AMENDMENT TO SECTION 111.--Section 111 of Public Law 93-495 (as amended by section 744(j) of Public Law 101-73) is amended by striking “the Director of the Office of Thrift Supervision”.

(b) AMENDMENT TO SECTION 202.--Section 202(a)(12) of Public Law 93-495 (12 U.S.C. 2402(a)(12)) is amended by striking “thrift, or other business entities, including one representative each of commercial banks, mutual savings banks, savings and loan associations,” and inserting “or other business entities, including three representatives from different types of insured depository institutions (as defined in section 3 of the Federal Deposit Insurance Act) and one representative each of”.

**SEC. 360. AMENDMENT TO THE REAL ESTATE SETTLEMENT
PROCEDURES ACT.**

Section 4(a) of the Real Estate Settlement Procedures Act (12 U.S.C. 2603(a)) is amended by striking “, and the Director of the Office of Thrift Supervision” and inserting “and” before “the Federal Deposit Insurance Corporation”.

SEC. 361. AMENDMENT TO THE REVISED STATUTES.

Section 324 of the Revised Statutes (12 U.S.C. 1) is amended by striking “The Comptroller of the Currency shall have the same authority over matters within the jurisdiction of the Comptroller as the Director of the Office of Thrift Supervision has over matters within the directors jurisdiction under section 3(b)(3) of the Home Owners' Loan Act” and inserting “The Secretary of the Treasury may not intervene in any matter or proceeding before the Comptroller of the Currency (including agency enforcement actions) unless otherwise specifically provided by law”.

**SEC. 362. AMENDMENTS TO THE RIEGLE COMMUNITY DEVELOPMENT
AND REGULATORY IMPROVEMENT ACT OF 1994.**

(a) AMENDMENT TO SECTION 307.--Section 307(a) of the Riegle Community Development and Regulatory Improvement Act of 1994 (12 U.S.C. 4805(a)) is amended by striking “savings association financial reports,”.

(b) AMENDMENT TO SECTION 117.--Section 117(e) of the Riegle Community Development and Regulatory Improvement Act of 1994 (12 U.S.C. 4716(e)) is amended by striking “the Director of the Office of Thrift Supervision,”.

SEC. 363. AMENDMENTS TO THE RIGHT TO FINANCIAL PRIVACY ACT OF 1978.

Section 1101 of the Right to Financial Privacy Act of 1978 (12 U.S.C. 3401) is amended--

(a) in paragraph (6)--

(1) by inserting “and” after the semicolon at the end of subparagraph

(A), ;

(2) by striking “title; and” in subparagraph (B) and inserting “title.”; and

(3) by striking subparagraph (C); and

(b) in paragraph (7)--

(1) by striking subparagraph (B); and

(2) by redesignating subparagraphs (C) through (H) as subparagraphs

(B) through (G), respectively.

SEC. 364. AMENDMENTS TO THE TRUTH IN SAVINGS ACT.

Section 270(a)(1) of the Truth in Savings Act (12 U.S.C. 4309(a)(1)) is amended--

(1) by inserting “and” after the semicolon at the end of subparagraph (A);

(2) in subparagraph (B)--

(a) by striking “or (iii)” and inserting “(iii) or (v)”; and

(b) by striking “; and” and inserting a period; and

(3) by striking subparagraph (C).

SEC. 365. EFFECTIVE DATE.

This subtitle shall become effective 2 years after the date of enactment of this Act.

***Subtitle E -- Technical and Conforming Amendments
to Other Statutes***

**SEC. 371. AMENDMENTS TO THE BALANCED BUDGET AND EMERGENCY
DEFICIT CONTROL ACT OF 1985.**

(a) AMENDMENT TO SECTION 250.--Section 250(c)(19) of the Balanced Budget and Emergency Deficit Control Act of 1985 (2 U.S.C. 900(c)(19)) is amended by striking “the Office of Thrift Supervision,”.

(b) AMENDMENT TO SECTION 256.--Section 256(h)(4) of the Balanced Budget and Emergency Deficit Control Act of 1985 (2 U.S.C. 906(h)(4)) is amended by--

(1) striking subparagraphs (C) and (D); and

(2) redesignating subparagraphs (E) through (I) as subparagraphs (C) through (G), respectively.

SEC. 372. AMENDMENTS TO THE CONSUMER CREDIT PROTECTION ACT.

(a) AMENDMENTS TO SECTION 108.--Section 108(a) of the Consumer Credit Protection Act (15 U.S.C. 1607(a)) is amended--

(1) in paragraph (1)(C), by inserting “(as defined in section 3 of the Federal Deposit Insurance Act (12 U.S.C. 1813))” before “insured by”;

(2) by striking paragraph (2); and

(3) by redesignating paragraphs (3) through (6) as paragraphs (2) through (5), respectively.

(b) AMENDMENTS TO SECTION 621.--Section 621(b) of the Consumer Credit Protection Act (15 U.S.C. 1681s(b)) is amended--

(1) in paragraph (1)(C), by inserting “(as defined in section 3 of the Federal Deposit Insurance Act (12 U.S.C. 1813))” before “insured by”;

(2) by striking paragraph (2); and

(3) by redesignating paragraphs (3) through (6) as paragraphs (2) through (5), respectively.

(c) AMENDMENTS TO SECTION 704.--Section 704(a) of the Consumer Credit Protection Act (15 U.S.C. 1691c(a)) is amended--

(1) in paragraph (1)(C), by inserting “(as defined in section 3 of the Federal Deposit Insurance Act (12 U.S.C. 1813))” before “insured by”;

(2) by striking paragraph (2); and

(3) by redesignating paragraphs (3) through (9) as paragraphs (2) through (8), respectively.

(d) AMENDMENTS TO SECTION 814.--Section 814(b) of the Consumer Credit Protection Act (15 U.S.C. 1692l(b)) is amended--

(1) in paragraph (1)(C), by inserting “(as defined in section 3 of the Federal Deposit Insurance Act (12 U.S.C. 1813))” before “insured by”;

(2) by striking paragraph (2); and

(3) by redesignating paragraphs (3) through (6) as paragraphs (2) through (5), respectively.

(e) AMENDMENTS TO SECTION 917.--Section 917(a) of the Consumer Credit Protection Act (15 U.S.C. 1693o(a)) is amended--

(1) in paragraph (1)(C), by inserting “(as defined in section 3 of the Federal Deposit Insurance Act (12 U.S.C. 1813))” before “insured by”;

(2) by striking paragraph (2); and

(3) by redesignating paragraphs (3) through (5) as paragraphs (2) through (4), respectively.

SEC. 373. AMENDMENTS TO THE FLOOD DISASTER PROTECTION ACT OF 1973.

(a) AMENDMENT TO SECTION 3.--Section 3(a)(5) of the Flood Disaster Protection Act of 1973 (42 U.S.C. 4003(a)(5)) is amended by striking “the Office of Thrift Supervision,”.

(b) AMENDMENT TO SECTION 1370.--Section 1370(a)(9) of the Flood Disaster Protection Act of 1973 (42 U.S.C. 4121(a)(9)) is amended by striking “the Office of Thrift Supervision,”.

SEC. 374. AMENDMENTS TO THE SECURITIES EXCHANGE ACT OF 1934.

(a) AMENDMENTS TO SECTION 3.--Section 3(a)(34)(G) of the Securities Exchange Act of 1934 (15 U.S.C. 78c(a)(34)(G)) is amended--

(1) in clause (iii)--

(A) by inserting “(as defined in section 3 of the Federal Deposit Insurance Act (12 U.S.C. 1813))” prior to “insured by”; and

(B) by striking “or a Federal savings bank”;

(2) by striking clause (iv) and redesignating clause (v) as clause (iv) and;

(3) by striking “, and the term 'District of Columbia savings and loan association' means any association subject to examination and supervision by the Office of Thrift Supervision under section 1466a of title 12”.

(b) AMENDMENT TO SECTION 15C.--Section 15C(g)(1) of the Securities Exchange Act of 1934 (15 U.S.C. 78o-5(g)(1)) is amended by striking “the Director of the Office of Thrift Supervision,”.

SEC. 375. AMENDMENTS TO TITLE 5, UNITED STATES CODE.

(a) AMENDMENT TO SECTION 3132.--Section 3132(a)(1)(D) of title 5, United States Code (5 U.S.C. 3132(a)(1)(D)) is amended by striking “the Office of Thrift Supervision,”.

(b) AMENDMENT TO SECTION 5314.--Section 5314 of title 5, United States Code (5 U.S.C. 5314) is amended by striking “Director of the Office of Thrift Supervision”.

SEC. 376. AMENDMENTS TO TITLE 18, UNITED STATES CODE.

(a) AMENDMENT TO SECTION 212.--Section 212 of title 18, United States Code (18 U.S.C. 212) is amended by striking “, by the Office of Thrift Supervision”.

(b) AMENDMENT TO SECTION 1006.--Section 1006 of title 18, United States Code (18 U.S.C. 1006) is amended by striking “, Office of Thrift Supervision”.

(c) AMENDMENT TO SECTION 1014.--Section 1014 of title 18, United States Code (18 U.S.C. 1014) is amended by striking “, the Office of Thrift Supervision”.

(d) AMENDMENT TO SECTION 1032.--Section 1032 of title 18, United States Code (18 U.S.C. 1032) is amended by striking “or the Director of the Office of Thrift Supervision”.

SEC. 377. AMENDMENT TO TITLE 31, UNITED STATES CODE.

Section 714(a) of title 31, United States Code (31 U.S.C. 714(a)) is amended by striking “, and the Office of Thrift Supervision” and inserting “and” before “the Office of the Comptroller”.

SEC. 378. EFFECTIVE DATE.

This subtitle shall become effective on the date 2 years after the date of enactment of this Act.